

City of Chicago
Commission on Human Relations
510 N. Peshtigo Ct., 6th Floor
Chicago, IL 60611
(312) 744-4111 [voice]/(312)/744-1088 [TTY]

IN THE MATTER OF)
)
Patricia Barnes)
COMPLAINANT,)
AND) CASE NO. 92-E-1
)
Dr. Harold Page) Date Mailed: April 22, 1997
RESPONDENT.)

To: Erwin Cohn & Charles Cohn
Cohn & Cohn
77 W. Washington, Ste. 1422
Chicago, IL 60602

Vivian Hessel
Legal Assistance Foundation
343 S. Dearborn, Ste. 700
Chicago, IL 60604

ORDER

On September 23, 1993, the Chicago Commission on Human Relations issued its Final Order Concerning Liability and Damages. It found the Respondent, Dr. Harold Page ("Respondent"), liable for violating the Chicago Human Rights Ordinance and ordered him to pay \$6,000 plus interest in damages to Complainant, Patricia Barnes ("Complainant"), and to pay the City a fine of \$500. On January 20, 1994, the Commission entered its Final Ruling on Attorney's Fees, ordering Respondent to pay \$38,785.50 in Complainant's attorney's fees and \$1,282.80 in costs. Respondent filed a *writ of certiorari* in state court. On February 10, 1995, the state court issued an order upholding all aspects of the Commission's two final orders, except for the amount of attorney's fees awarded to one of Complainant's two attorneys.

On remand, the Commission re-examined its prior attorney's fees ruling and again ruled that Respondent should pay Complainant \$38,785.50 in attorney's fees and \$1,282.80 in costs. On October 15, 1996, the Circuit Court again remanded the case back to the Commission about the fees awarded to the one attorney. The court ordered the Commission to treat this attorney as a paralegal for purposes of the fee award. Therefore, on February 19, 1997, the Commission issued a ruling on fees treating that attorney as a paralegal. This awarded Complainant \$33,770.03 (the award of \$1282.80 of costs was not changed).

On March 19, 1997, Respondent again sought a review of the Commission's rulings in state court. On March 27, 1997, the Circuit Court denied Respondent's motion to reinstate his *writ of certiorari* and to add another count to it.

On April 2, 1997, Complainant filed a Motion for Enforcement of Judgment. Complainant recites the history of this case and argues that Respondent has not complied with the Commission's Final Orders. Motion at ¶¶9 & 10. Complainant requests that the Commission find that Respondent has failed to abide by the rulings. Motion, final paragraph. The Commission gave Respondent until April 17, 1997 to respond to that motion; he did not respond at all.

Accordingly, the Commission GRANTS Complainant's Motion. Commission Reg. 250.210 requires that parties comply with a final order within 31 days. Respondent has not complied and more than 31 days have passed since the entry of the later of the final orders. Respondent has not complied with:

the Final Order concerning liability issued September 23, 1993 and awarding \$6000 plus interest in damages and \$500 as a fine;

the Final Order concerning attorney's fees issued February 19, 1997, awarding \$33,770.03 in fees and leaving the award of \$1,282.80 for fees from the January 20, 1994 order.

Therefore, pursuant to Reg. 250.220, the Commission shall send this case to the Office of Corporation Counsel to seek enforcement of the Final Orders in state court. Further, also pursuant to Reg. 250.220, the Commission fines Respondent an additional \$500 for his failure to comply with the Final Orders within 31 days, as ordered.